

Appl. No. 09/917,134
Amdt. Dated June 8, 2006
Response to Office Action dated December 9, 2005

REMARKS

Applicant has modified independent claims 1 and 8 for the purpose of overcoming the Examiner's rejection of claim 1-14 under 35 U.S.C. § 101. Applicant respectfully submits that the amended claims now comport with all of the requirements of the statute and accordingly, Applicant respectfully requests that the Examiner now withdraw the rejections under section 101. More specifically, Applicant has modified independent claim 1 to further specify that the claim is directed to a computer implemented method and claim 8 has been modified to specify the use of a processor therein. Applicant submits that these changes are consistent with the proposed modifications made by the Examiner.

Applicant respectfully requests reconsideration of the prior art rejection set forth by the Examiner under 35 U.S.C. §§ 102 and 103. Applicant respectfully submits that the prior art references of record, whether considered alone, or in combination, fail to either teach or suggest Applicants presently claimed invention. Fundamentally, Applicant notes that the references cited by the Examiner do not appear to even qualify as prior art. Applicant is in the process of researching whether the described product was available in the prior art as asserted by the Examiner. In any event, in order to expedite prosecution of the application, Applicant has modified independent claims 1 and 8 to further specify that the claimed system and method utilizes information providing a correlation between a user designation for a publication and a plurality of dimensional specifications for advertising registration marks that are associated with the user designated publication.

Advantageously, in accordance with the preferred exemplary embodiment, a database is provided so that the appropriate registration marks can be conveniently automatically generated based on the selection of a user designated publication which thereby

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automatically populates the image layout with the appropriate registration marks for a given advertisement. Applicant respectfully submits that the prior art references of record provide no teaching or suggestion whatsoever regarding this advance in the art. It is only Applicants instant innovation that provides the advantageous ability to quickly and conveniently generate the necessary advertising registration marks that are associated with a desired publication.

In contrast with the prior art, users are not required to manually research and review the required advertising registration marks for an advertisement that is to be placed in a given publication. Rather, in accordance with the present invention, the user conveniently selects the desired publication within which the proposed advertisement will be placed and the appropriate registration marks are automatically provided. Applicant submits that even if the references cited by the Examiner do actually qualify as prior art, Applicant maintains that the system did not provide the capabilities which are now claimed in the instant application.

Yet another distinction is found in newly submitted claim 15. New claim 15 additionally and alternately specifies that the sequence of placement of the registration marks is such that an image layout is initially defined and the registration marks are presented automatically prior to placement of any image information in the image layout.

Advantageously, this enables the user to conveniently place image data with reference to the registration marks. As best understood by the Applicant, the cited prior art relied upon by the Examiner describes a system wherein image data for advertisement is created and thereafter registration marks are selectively placed with reference to the image data. One significant shortcoming of this approach is that the relationship of the various image data or objects within the image layout must be changed in order to achieve the appropriate desired

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relationship after the marks have been placed. This approach is not practical for convenient advertising layout placement. This is due to the fact of the system was only able to provide the registration marks after the layout of image data had already been created.

Applicant's approach is substantially different from the techniques described in the prior art and provides a significant advantage in that by placing the appropriate registration marks in the image layout before any image data is located in the layout, all of the image data can be appropriately located and no adjustments need be made. This is not possible in the prior art cited by the Examiner. Furthermore, the prior art cited by the Examiner provides no teaching or suggestion whatsoever regarding the automatic placement of the advertising image layout registration marks prior to the placement of any image datum for the layout.

Accordingly, in light of the foregoing, Applicant respectfully submits that all claims now stand in condition for allowance.

Respectfully submitted,

Date:

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